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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 PAUL PROVENZANO,)
10 Petitioner,) 3:12-cv-00500-LRH-VPC
11 vs.) **ORDER**
12)
13 ROBERT LEGRANDE, *et al.*,)
14 Respondents.)
/

15 Paul Provenzano, a Nevada prisoner, has submitted a petition for a writ of habeas corpus,
16 pursuant to 28 U.S.C. § 2254 (ECF #1-1) and has paid the filing fee (*see* ECF #4).

17 The habeas petition shall be served upon the respondents.

18 A petition for federal habeas corpus should include all claims for relief of which petitioner is
19 aware. If petitioner fails to include such a claim in his petition, he may be forever barred from seeking
20 federal habeas relief upon that claim. *See* 28 U.S.C. §2254(b) (successive petitions). If petitioner is
21 aware of any claim not included in his petition, he should notify the court of that as soon as possible,
22 perhaps by means of a motion to amend his petition to add the claim.

23 **IT IS THEREFORE ORDERED** that the Clerk shall **FILE** and **ELECTRONICALLY**
24 **SERVE** the petition (ECF #1-1) upon the respondents.

25 **IT IS FURTHER ORDERED** that respondents shall have **forty-five (45)** days from entry of
26 this order within which to answer, or otherwise respond to, the petition. In their answer or other
27 response, respondents shall address any claims presented by petitioner in his petition as well as any
28 claims presented by petitioner in any Statement of Additional Claims. Respondents shall raise all

1 potential affirmative defenses in the initial responsive pleading, including lack of exhaustion and
2 procedural default. **Successive motions to dismiss will not be entertained.** If an answer is filed,
3 respondents shall comply with the requirements of Rule 5 of the Rules Governing Proceedings in the
4 United States District Courts under 28 U.S.C. §2254. If an answer is filed, petitioner shall have **forty-**
5 **five (45) days** from the date of service of the answer to file a reply.

6 **IT IS FURTHER ORDERED** that, henceforth, petitioner shall serve upon the attorney general
7 of the State of Nevada a copy of every pleading, motion, or other document he submits for consideration
8 by the court. Petitioner shall include with the original paper submitted for filing a certificate stating the
9 date that a true and correct copy of the document was mailed to the attorney general. The court may
10 disregard any paper that does not include a certificate of service. After respondents appear in this action,
11 petitioner shall make such service upon the particular deputy attorney general assigned to the case.

12 **IT IS FURTHER ORDERED** that any state court record exhibits filed by respondents herein
13 shall be filed with a separate index of exhibits identifying the exhibits by number or letter. The CM/ECF
14 attachments that are filed further shall be identified by the number or numbers (or letter or letters) of the
15 exhibits in the attachment. The hard copy of any additional state court record exhibits shall be forwarded
16 – for this case – to the staff attorneys in Reno.

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18 Dated this 12th day of February, 2013.



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20 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE